

MAY 25 2016

KSC: USAO#2015R0688

IN THE UNITED STATES DISTRICT COURT BY
FOR THE DISTRICT OF MARYLAND

AT BALTIMORE
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY

UNITED STATES OF AMERICA

v.

ELMIN IVAN PORTILLO-GUITERREZ,
aka Blue,

Defendant.

UNDER SEAL

CRIMINAL NO. JKB-16-0259

(Conspiracy to Commit a Violent
Crime in Aid of Racketeering, 18
U.S.C. § 1959(a)(6); Committing a
Violent Crime in Aid of
Racketeering, 18 U.S.C. § 1959(a)(2),
(3), 18 U.S.C. § 2)

* * * * *

INDICTMENT

COUNT ONE

Conspiracy to Commit An Assault with a Dangerous Weapon

The Grand Jury for the District of Maryland charges that:

At all times relevant to this Indictment:

1. The defendant, **ELMIN IVAN PORTILLO-GUITERREZ**, together with other persons, known and unknown to the grand jury, were members and associates of a criminal organization, that is the MS-13 street gang. MS-13, including its leaders, members, and associates, constituted an enterprise, as defined in Title 18, United States Code, Section 1959(b)(2), that is a group of individuals associated in fact that engaged in, and the activities of which affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise. A primary purpose of the enterprise was to earn money for its members and associates through drug sales and extortion of local brothels and beer houses.

2. The above-described enterprise, MS-13, through its members and associates, engaged in racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely, acts involving narcotics trafficking in violation of Title 21, United States Code, Sections 841 and 846, acts indictable under Section 1951 (extortion), of Title 18, United States Code, and acts involving extortion in violation of Maryland Md. Code Ann. Crim. Law § 3-701.

3. On or about August 28, 2015, in the State and District of Maryland, as consideration for the receipt of, and as consideration for a promise and an agreement to pay, anything of pecuniary value from MS-13, and for the purpose of gaining entrance to and maintaining and increasing position in MS-13, an enterprise engaged in racketeering activity,

ELMIN IVAN PORTILLO GUITERREZ,
a/k/a Blue,

the defendant herein, and others known and unknown, unlawfully and knowingly conspired to maim, assault with a dangerous weapon, and assault resulting in serious bodily injury, William Chacon-Dimas, in violation of Maryland common law and Md. Code Ann. Crim. Law § 3-202.

18 U.S.C. § 1959(a)(6)

COUNT TWO

Maiming and Assault with a Dangerous Weapon Resulting in Serious Bodily Injury

The Grand Jury for the District of Maryland further charges that:

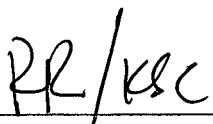
4. Paragraphs 1-2 of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.

5. On or about August 28, 2015, in the State and District of Maryland, as consideration for the receipt of, and as consideration for a promise and an agreement to pay, anything of pecuniary value from MS-13, and for the purpose of gaining entrance to and maintaining and increasing position in MS-13, an enterprise engaged in racketeering activity,

ELMIN IVAN PORTILLO GUITERREZ,
a/k/a Blue,

the defendant herein, unlawfully and knowingly maimed, assaulted with a dangerous weapon, and assaulted resulting in the serious bodily injury, and aided and abetted the maiming, assault with a dangerous weapon, and assault resulting in serious bodily injury of William Chacon-Dimas, in violation of Maryland common law and Md. Code Ann. Crim. Law § 3-202.

18 U.S.C. § 1959(a)(2) and (3)
18 U.S.C. § 2



ROD J. ROSENSTEIN
United States Attorney

A TRUE BILL:

SIGNATURE REDACTED

5-25-2016
Date: